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August 2, 2006

Jay Johnson
Clerk to the Honorable Rya W. Zobel
United States District Court
District of Massachusetts
One Courthouse Way
Boston, Massachusetts 02210

RE: Teti v. Dennehy
Docket # 1:05-cv-10234-RWZ


Dear Mr. Johnson,

Pursuant to our conversation this morning, and this Court's request, please find enclosed a copy of the state record appendix for the above captioned case. I am a little confused as to why the opinion issued without review of this appendix.

I was just e-mailed the opinion this morning. The opinion, on page ten at footnote four indicated that the petitioner never filed a copy of the affidavit of Jason Teti with this Court. It was my understanding that a copy of Jason Teti's affidavit was included at page R-130 of the record appendix that the government filed with this Court on March 22, 2005. It is Jason Teti's affidavit that disputes the factual allegation of both Attorney Keane and Attorney McBride which may have formed the basis of an evidentiary hearing.

Please call me directly if you need any additional information. As always, thank you for your assistance.

Sincerely,


Rosemary Curran Scapicchio

cc: Eva M. Badway, AAG (without enclosures)